

REMARKS

The outstanding Notice of Non-Compliant Amendment is respectfully traversed.

The Notice states that “[i]n claims 15, 17, and 20, the [...] is improper for changes to the claims.” It is indeed true that in the March 15, 2006 Amendment, in claims 15, 17, and 20, the word “axle” has been placed in double brackets. However, such form is not only acceptable, but it is explicitly mentioned in the rules as a way to assist the Patent Office personnel in recognizing the intended deletion.

In particular, 37 CFR §1.121 (c) (2) states that “[t]he text of any deleted matter must be shown by strike-through *except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters*” (emphasis added). Further, 37 CFR § 1.121 (c) (2) states that “[t]he text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived” (emphasis added). Therefore, inasmuch as the word “axle” has been placed in double brackets since strike-through of the word cannot be easily perceived, the word “axle” contains fewer than five consecutive characters. Accordingly, the use of double brackets to indicate the deletion of the word “axle” is proper and the March 15, 2006 Amendment is compliant with 37 CFR 1.121. No change to the claims or to the March 15, 2006 Amendment is necessary.

Since the March 15, 2006 Amendment is compliant with 37 CFR 1.121, withdrawal of the Notice of Non-Compliant Amendment and consideration of the March 15, 2006 Amendment are respectfully requested.

* * *

JACOBS -- 10/771,543
Attorney Docket: 081589-0307593

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



THOMAS P. HILLIARD
Reg. No. 40330
Tel. No. 703 770.7591
Fax No. 703 770.7901

Date: June 13, 2006
P.O. Box 10500
McLean, VA 22102
(703) 770-7900